



Request for Return of Excess Employee Contributions to Participant

Tax Year 2002

Before you complete this form, please read the instructions on the back.

Name _____
Last First Middle

Social Security Number _____ - _____ - _____ Date of Birth _____ / _____ / _____
Month Day Year

Agency _____ Daytime Phone (_____) _____ - _____
Area Code and Number

Address _____
Street address or box number

City State Zip Code

I, _____, am a participant in the
Name

(Name of Other Plan or Plans — Do not name the Thrift Savings Plan)

and the Thrift Savings Plan (TSP). My Employee Contributions to the TSP for the 2002 tax year, when added to my contributions to the other plan(s) identified above, exceeded the limits on contributions provided in the Internal Revenue Code. Under the law (26 U.S.C. 402(g)), it is my responsibility to notify the TSP administrator how much, if any, of this excess amount I wish to withdraw from my TSP account. Accordingly, I am submitting this notice to the TSP administrator that I wish to withdraw from the TSP \$_____, plus earnings or losses on this amount (calculated according to Internal Revenue Service (IRS) regulations and TSP rules). I understand that this amount will be distributed to me no later than April 15, 2003. I understand that under IRS rules, any Employee Contributions returned to me constitute taxable income for 2002, while the earnings on those amounts constitute taxable income for 2003.

I further understand that the Employee Contributions will be removed from my TSP account based on the most recent dates the contributions were deposited to my TSP account in 2002. The contributions will be removed on a last in/first out basis. (For example, the last contribution made in December will be removed

first. If that amount is not sufficient to remove all of the excess, an earlier contribution made in December will be removed, then the last contribution made in November will be removed, and so on.) In addition, all Agency Matching Contributions (and earnings on those contributions) attributable to the amount of excess Employee Contributions cannot remain in my TSP account. My agency will be notified to remove these excess matching contributions. If my agency does not remove these contributions within one year of the date the first excess Employee Contribution was made for the applicable year, the excess Agency Matching Contributions (plus earnings) will be forfeited to the TSP.

The TSP will notify me and the IRS of the return of both Employee Contributions and attributable earnings, reporting each amount on a separate Form 1099-R, Distributions from Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc. It is my responsibility to include these amounts as taxable income for the appropriate years on my Federal tax returns, or to file amended tax returns, if necessary. I acknowledge that it is not the responsibility of the TSP to inquire whether I have made excess contributions to the other plan(s) named above.

Certification

I certify that all statements made in this request are true to the best of my knowledge. **Warning:** Any intentional false statement in this application or willful misrepresentation concerning it is a violation of the law that is punishable by a fine of as much as \$10,000 or imprisonment for as long as 5 years, or both (18 U.S.C. 1001).

Participant's Signature _____

Date Signed _____

Instructions

1. Complete this form if in 2002 (1) you were a participant in the Thrift Savings Plan (TSP) and a plan or plans as described under sections 401(k), 403(b), 408(k), 457, or 501(c)(18) of the Internal Revenue Code and (2) the total contributions you made to all of these plans exceeded \$11,000. **Note: If you participated in a 403(b) plan as well as the TSP, the limit was \$11,000. If you participated in a Section 457 plan, your contributions to all plans (including the TSP) may have also been limited to \$11,000. You should consult with your 457 plan administrator concerning any limit on the amount you could contribute to your TSP account.**
2. Be sure to include on the front of this form the complete name of the other plan or plans to which you made contributions. Do not include the Thrift Savings Plan.
3. You may choose to receive a refund of any or all of your excess Employee Contributions from the TSP.
4. Submit this form to:

Federal Retirement Thrift Investment Board
Attn: Office of External Affairs
1250 H Street, NW
Washington, DC 20005

Telefax Number (202) 942-1451
5. This request for refund must be received by the Board by February 20, 2003. An incomplete or incorrectly completed form will not be processed.

PRIVACY ACT NOTICE. We are authorized to request this information under 5 U.S.C. chapter 84. Executive Order 9397 authorizes us to ask for your Social Security number, which will be used to identify your account. We will use the information you provide on this form to process your request for the return of excess employee contributions. This information may be shared with other Federal agencies or the uniformed services for statistical, auditing, or archiving purposes. In addition, we may share the information with law enforcement

agencies investigating a violation of civil, criminal, or military law, or agencies implementing a statute, rule, or order. It may be shared with congressional offices, private sector audit firms, spouses, former spouses, and beneficiaries, and their attorneys. We may also disclose relevant portions of the information to appropriate parties engaged in litigation. You are not required by law to provide this information, but if you do not provide it, we will not be able to process your request.